

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

David B. Triemert, individually
and on behalf of all others similarly
situated,

Plaintiff,
v.
County of Washington,
et al.,

Defendants.

ORDER
Civil No. 13-3094 (MJD/LIB)

Joshua R. Williams and Timothy M. Phillips, Law Office of Joshua R. Williams, PLLC, Counsel for Plaintiff.

Susan Steffen Tice and Richard D. Hodsdon, Assistant Washington County Attorneys, Counsel for Washington County.

Daniel L. Payne, Meagher & Geer, PLLP and Marty E. Moore, Peck Hadfield Baxter & Moore, LLC, Counsel for Defendants First California Bank and Outpay Systems, LLC.

Russell S. Ponessa and Jessica L. Nelson, Hinshaw & Culbertson LLP, Counsel for Defendant Keefe Commissary Network, LLC.

The above-entitled matter comes before the Court on Plaintiff's objections to the Report and Recommendation of Magistrate Judge Leo I. Brisbois dated January 15, 2015 recommending that the Court grant Defendants' motions for

judgment on the pleadings and to dismiss this action with prejudice.

Pursuant to statute, the Court has conducted a de novo review of the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based on that review, the Court will adopt the Report and Recommendation in its entirety.

In addition to challenging the Magistrate Judge's legal analysis, Plaintiff also asks this Court to stay this action until the Eighth Circuit Court of Appeals issues a decision in the appeal of Mickelson et al. v. County of Ramsey, et al., Civ. No. 13-2911 (SRN/FLN), 2014 WL 4232284 (D. Minn. Aug. 26, 2014). Plaintiff asserts the legal issues in Mickelson are identical to the legal issues in this action, and that judicial economy is served by waiting for the Eighth Circuit's decision. The Court disagrees. Judicial economy is not served by staying a decision the Court has already determined has no merit.

Accordingly,

IT IS ORDERED:

1. Defendant Washington County's Motion for Judgment on the Pleadings [Doc. No. 57] is GRANTED;
2. Defendant Keefe Commissary Network, LLC's Motion for Judgment on the Pleadings [Doc. No. 65] is GRANTED;

3. Defendants First California Bank and Outpay Systems, LLC's Joint Motion for Judgment on the Pleadings [Doc. No. 70] is GRANTED; and
4. This matter is **DISMISSED WITH PREJUDICE.**

LET JUDGMENT BE ENTERED ACCORDINGLY

DATED: March 5, 2015

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court